

Application No.: 10/039957

Case No.: 53325US002

REMARKS**Rejections Under 35 U.S.C. 102/103**

Claims 1, 5, 10, 12, 16, 18, 28 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Christian et al. (U.S. Patent No. 6,200,666).

The Examiner stated that "Christian et al. discloses a marker having discrete reflective elements (33, 54, for example) which is optionally formed on a web of water dispersible polymeric material (pigment)."

U.S. Patent No. 6,200,666 describes thermal transfer articles such as a hot stamp foil (illustrated by Fig. 1) and a thermal transfer ribbon (illustrated by FIG. 2) comprising a carrier, optionally a release layer, a color layer releasably adhered thereto, and optionally an adherence layer on the bottom side of the color layer. This patent also describes articles (such as retroreflective sheeting) imaged with such thermal transfer compositions (such as depicted by Figures 3-6). As described at column 10, lines 33, "Compositions of the invention (i.e. color layer) comprise one or more coloring agent such as an organic or inorganic pigments or dyes, including white, black, and colored materials."

The Applicant submits that Christian et al. does not disclose discrete (i.e. individual) reflective elements as alleged by the Examiner. Reference numerals 33 and 54 are both described in the patent as being graphic images. The Applicant further submits that Christian also does not disclose a water dispersible web.

In addition to the fact that Christian does not teach the claim limitations and thus does not anticipate the claimed invention, the Applicant would also like to bring to the Examiner's attention that Applicant 3M Innovative Properties Company, a corporation of the State of Delaware having a place of business at 3M Center, St. Paul, MN, represents that it is the exclusive owner of the entire interest in U.S. Patent No. 6,200,666. Applicant hereby states that this patent was commonly owned by Applicant or subject to an obligation or assignment to Applicant at the time the invention was made.

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Accordingly, the Applicant respectfully requests withdrawal of the 102(e)/103(a) rejections.

A timely allowance is respectfully requested.

Respectfully submitted,

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Date

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